In the High Court of Punjab and Haryana at Chandigarh

.....

Criminal Misc. No.20052-M of 2006

.....

Date of decision:29.5.2007

Roshan Lal

.....Petitioner

v.

State of Haryana

.....Respondent

....

Present: Mr. Sanjay Vashisth, Advocate for the petitioner.

Mr. Vikas Chaudhary, Assistant Advocate General, Haryana for the respondent-State.

.....

S.S. Saron, J. (Oral)

Heard learned counsel for the parties.

The petitioner seeks pre-arrest bail. The FIR has been registered on the statement of Nafe Singh for the offences under Sections 379 and 427 IPC. The allegations of theft have been made against Phool Singh, who was constructing a new house after demolishing the old one. It is submitted that in the initial Rapat No.7 dated 21.12.2006 (Annexure-P.3) the act of demolishing the wall to commit theft has not been mentioned.

Learned counsel for the State, on instructions of HC Ranbir Singh, Police Station Kosli (Rewari), has submitted that the petitioner has joined the investigation and his further custody is not required for the purpose of investigation.

Without commenting on the merits of the case lest it may prejudice the case of either side, in the event of arrest, the petitioner shall

be admitted to bail on his furnishing personal bond and surety to the satisfaction of the Arresting/Investigating Officer and subject to the provisions of Section 438 Cr.P.C. The interim order dated 30.3.2007 is made absolute.

The criminal miscellaneous petition stands disposed of.

May 29, 2007. **(S.S. Saron)**
Judge

hsp